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NOTES ON IOWA
WITH
MAP.

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NOTES

ON

IOWA TERRITORY

WITH A MAP.

BY WILLARD BARROWS,
United States Deputy Surveyor.

CINCINNATI:
PUBLISHED BY DOOLITTLE & MUNSON.
1845.

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IRA

NOTES ON IOWA.

GENERAL REMARKS.

WITH the name of Iowa, at the present period, are associated feelings far different from those which were once entertained. It is true that in Iowa, as well as other newly settled countries, the fugitive from justice formerly sought an asylum from the strong arm of the law. The Indian, upon whom nature seems to have stamped the image of cruelty and torture, might have been seen lingering around the grave of his ancestors, a shattered and broken monument of what he once was.

It is true too, that in Iowa the endearing spot of home is not yet matured; the place of our nativity, around which are entwined the most tender ties of a social relation, we still look back upon with yearning hearts. The peaceful sabbath bell is not yet heard, chiming its hallowed notes from every humble spire, and like our Eastern villages, calling each kindred heart to pay their vows in sweet communion at the shrine of God; yet the sabbath is here, and its benign influence is felt in every hamlet and cottage throughout this new and flourishing country. Costly edifices, like those which adorn our Eastern cities are not yet to be found; but in almost every village is seen the humble temple, consecrated to the worship of Almighty God. Vice and immorality are fleeing away; the fugitive from justice can no longer stand before the devastating arm of the law; and the savage son of the wilderness, that has roamed for centuries among these

delightful hills, is now bidding farewell to the bones of his ancestors and travelling beyond the confines of civilization.

It was not till the summer of 1833, that any Indian title was extinguished to the Territory of Iowa. The country had alternately been in possession of various Indian tribes for centuries before; its rich and fertile soil had for ages drank the blood of contending foes, for possession. Its hills and valleys, its rivers and prairies, have witnessed the most bloody conflicts ever fought by the savages of our western world, the numerous battle grounds, that every where strewn over the land, will testify.

In June, 1833, the first permanent settlement was made in Iowa; and at the expiration of the year 1834 the population numbered upwards of 16,000 inhabitants. The present population (1844) is upwards of 32,500.

It is probable that the annals of history have never been able to record a more rapid progress of settlement than here exhibited; and that, too, with equal intelligence, industry, and enterprise. When we reflect upon the vast resources of this new and flourishing Territory, bounded as it is, by two of the mightiest rivers in the world, and traversed throughout its length and breadth by smaller ones, many of which are navigable, and affording any amount of water power; when we reflect, that but a few years since, nothing was seen upon these placid waters but the frail bark of the Indian, or the more cumbrous barge of the trader, and when we now behold the emigrant flooding our land from almost every state and clime; we are ready to predict, that the rapidity of its settlement will be without a parallel in the history of nations. But a short time ago, and the awe-struck Indian was aroused from his peaceful solitude by the hoarse puff of the steam boat, flying through his untroubled waters, while nothing was seen upon the banks but the rude

wigwam of the lord of the soil. But now there are numerous towns and villages sprung up, and thirty different steam boats ply upon the waters of the upper Mississippi, bearing to our land the hardy emigrant, and returning from our shores laden with Mineral and other products of our soil. From such rapid strides as these, in so short a time, what may we not anticipate for the future. But yesterday as it were, our settlements were confined to the narrow limits along the borders of the Mississippi river; but to-day, we behold the newly reared cabin and cultivated fields for a hundred miles in the interior. But yesterday, the war-whoop and scalping-knife were the terrors of the land; but to-day, there is peace in all our borders, and the industrious farmer feeds his sheep, where the wild deer lay in his covert; and to the nightly howl of the prowling wolf, has succeeded the familiar bark of the faithful house-dog; instead of the pierogue or Mackinaw trading boat, now is seen the "Kentucky broad-horn" or flat boat bearing away the produce of the white man's labor.

When we look around us and behold the intelligence and enterprise that is pouring into our land, the march of improvements that are going on throughout its length and breadth, and when we reflect upon the beauty, fertility, and advantages of the yet unexplored portions of Iowa, we cannot but anticipate that e'er long we shall see the germs of our free institutions spreading their healthful branches over every class of this newly settled country, and Iowa, as she takes her place in the ranks of her sister states, and adds another luminary to the "Star-spangled Banner", will be hailed as a young and beauteous daughter of our glorious Republic.

Much has been said and written of the unrivaled climate, soil, and productions of this delightful country; the rapidity of its settlement and growth, the enterprise of its inhabitants, the rich and ample field for

agriculture and mineral wealth; its internal resources &c.; but it is not my intention here to "write a book" but merely to give some statistics with a few general remarks.

The great and pressing demand for a map of the unexplored portions of Iowa, of which but little is generally known, has induced the Author to present to the public the result of much labor spent in acquiring a knowledge of it. It was his original intention to have given a full and concise history of its rivers, woods, and prairies; of the unequalled beauty that dwells in solitude amid the thousand Lakes, whose pebbled shores are the abodes of immense herds of Buffalo, Elk, and Deer, and whose waters form the great fountains to the rivers of Iowa; to have spoken more particularly of the Indian as he exists upon his own native soil, unpolluted by the vices of the white man; of the pleasurable excitement in traversing a wild and unsettled country, strewn with the richest flowers that can meet the eye of man; or of the privations, hardships, and suffering incident to such a campaign; but the very brief limits of this work must necessarily preclude these thrilling reminiscences which are reserved for a future work.

The present territorial limits of Iowa extend from the northern boundary of Missouri and west of the Mississippi River to the dividing line between the United States and the British Possessions, thence along that line to the White Earth River, and down that stream to its junction with the Missouri; thence down the Missouri to the northern boundary of the State of Missouri.

The general face of the country is a high rolling prairie, interspersed with groves of various kinds of timber.—It is well watered, and upon the river courses skirted with woodlands.

The soil is of uncommon richness and fertility, well adapted to all the grains usually grown in northern and middle latitudes.

The woodlands are filled with game, and the lakes and rivers with fish and fowl.

The Neutral Grounds, (laid down upon the map) of which but very little is known, is a tract of land, about 150 miles long and 40 wide. By a treaty held at Prairie du Chien in August, 1825, it was agreed by the confederate tribes of the Sacs and Foxes, and the Sioux Indians, "that the line between their respective countries should commence at the mouth of the upper Iowa river, on the west bank of the Mississippi river; and ascending the said Iowa river to the source of its first left fork, thence on a direct line to the upper fork of the Des Moines river," &c.

The constant broils of these two contending tribes, soon made it necessary for the government to draw a more distinct line, by which they should be governed in their hunting; and at a subsequent treaty a strip of land 20 miles wide, parallel to the dividing line, was purchased of each tribe, and declared neutral to both parties. This forms the Neutral Grounds; and by a treaty with the Winnebago Indians in 1837, this tract was ceded to them as far west as the Red-cedar river, with the privilege of hunting upon the balance of ground to the Des Moines river. This tribe, (2,200 in number) now reside upon it.

The Agency of this tribe is at Fort Atkinson, on Turkey river; where there is a school for the education of their youth under the superintendence of the Rev. David Lowry, their Agent. The field notes of these Grounds, together with the Indian boundary lines of 1825 and 1830, were obtained from Captains Boon and Craig, who surveyed them, and to whom I am under many obligations for those and other information. The present limits to which the Indian title is extinguished, is to the Neutral Grounds on the North; and West by a line running from the upper cottonwood fork of the Des Moines river, to the southern point of Boyer lake, and thence, following the

high grounds, dividing the head waters of the Des Moines from those emptying into the Missouri, or its tributaries, until it reaches the northern boundary of the State of Missouri as represented upon the accompanying map. West of this line, and to the Missouri river, lies the grounds of the Pottawattamie Indian

The country now owned by the United States, within the limits of Iowa, has been purchased by four different treaties.

The first was made in 1832, commonly called the "Black Hawk Purchase." The second, in 1836. The third, in 1837, and the fourth and last in 1842, by Governor Chambers—and it is most earnestly hoped, that the ensuing season, great efforts will be made to remove the Pottawattamies and Winnebagoes, that we may have our boundaries as free as possible from Indian reservations when we enter into a State.

The country ceded to us by the last treaty, commonly called the "New Purchase," is the richest and most desirable portion of land ever obtained from the Indians; and better probably, than any now held by them. This purchase is settling very fast; the timber seems to be much more equally divided. It is well watered, and has abundant mill privileges in every part.

This purchase embraces some 12 or 15 millions of acres of land, for which the United States pay to the Indians one million of dollars.

Possession was given to a part of this tract on the first of May, 1843—the balance is reserved by the Indians for three years, and in the mean time, the government is to provide them a home beyond the Missouri. The line bounding this three years reservation is run from the "Painted Rocks" on the Des Moines river, near the mouth of the White Breast Fork, on a straight line, due north to the Neutral Grounds, and south, to the northern boundary of the State of Missouri.

The first Legislature held in Iowa, met at Burlington in the fall of 1837, while we were attached to Wisconsin, and subject to Michigan in judicial matters.

On the 4th of July, 1838, Iowa was separated from Wisconsin by Act of Congress, passed June 12th, 1838.

STATISTICS.

By the census, taken the first of May, 1844, the population of Iowa Territory amounted to upwards of 82,500 souls.

This Territory is divided into two Land Districts, by a base line between Townships No. 77 and 78 North, which intersect the Mississippi river between Davenport and Rockingham in Scott county. Each District has a Land office, one at Dubuque, the other at Fairfield, in Jefferson county.

Wisconsin and Iowa form one surveying district. The office of the Surveyor General is located at Dubuque.

The seat of government for Iowa was permanently located at Iowa City, upon the Iowa river, in the summer of 1839, by Commissionere appointed by the Legislature for that purpose. A large and splendid building has been erected of stone, for the transaction of territorial business.

The Territorial Penitentiary is located at Fort Madison, in Lee county, on the Mississippi river. It is built of beautiful fine grained lime stone rock, and one of the best constructed edifices of the kind in the United States.

DESCRIPTION OF COUNTIES AND COUNTY SEATS, WITH THEIR POPULATIONS.

LEE COUNTY.

This county is the most southern point of Iowa, being located in the junction of the Dee Moines and Mississippi rivers, including the celebrated "Half

Breed" tract of land. It is well watered: being bounded nearly on three sides by the Des Moines, Mississippi, and Checauquee or Skunk rivers. Population in 1838, 2,839, in 1840, 6,096, and in 1844, 9,830.

FORT MADISON is the most important town, and seat of justice for Leo county. It is handsomely located on the Mississippi river, contains a population of six or eight hundred inhabitants. Several hotels, mercantile houses, mechanics' shops, places of worship, &c.

DES MOINES COUNTY.

This was the first county settled in the territory and is the most populous. It was at Burlington that the first settlers of Iowa pitched their tents, and erected their log cabins; this is the principal town and county seat of Des Moines county; it is beautifully located upon the banks of the Mississippi river, was formerly the capital of Iowa, contains many very handsome buildings; is a place of great trade for the back country, having numerous mercantile houses, hotels, churches for various denominations, and good schools.

In 1838, the population of this county was 2,839, in 1840, 5,546, and in 1844, 9,109.

LOUISA COUNTY

Is a rich and fertile county, well watered by the Iowa river and its tributaries, all of which are well skirted with timber.

Wappello, the chief town and county seat, is beautifully located upon the west bank of the Iowa river, about ten miles from its junction with the Mississippi river, upon the site of "Wappello's Old Indian Village," one of the most celebrated chiefs under Black Hawk. It contains several stores, taverns, churches, and mechanics' shops, &c.

There are many other enterprising villages, sprung

up in this county, among which are Columbus City, three miles west of Fredonia, at the forks of the Iowa and Cedar rivers. Toolsborough, formerly called "Black Hawk," is a neat little village, situated two miles from the Mississippi, on the north side of the Iowa river, at the termination of the contemplated "Iowa River Canal." It has two churches, two stores, two steam mills, and numerous mechanics' shops. The population of this county in 1838 was 1,180, in 1840, 1,925, and in 1844, 3,236.

MUSCATINE COUNTY.

This county is situated upon one of the great bends of the Mississippi river, and in point of location has great advantages. It is well watered, and settled with industrious people. Bloomington is the chief town, and only one of any note in the county: it is the seat of justice for Muscatine county, and is situated upon the bank of the Mississippi, has a good landing, high banks, &c., and being the only town of any importance for 50 miles above Burlington, it has local advantages over any other place between St. Louis and Dubuque. It contains many stores, hotels, churches, and mechanical shops; presenting the appearance of prosperity that scarce any other town upon the river can at present boast of.

The population of this county in 1838 was 1,247, in 1840, 1,942, and in 1844, 2,882.

SCOTT COUNTY.

Perhaps there is not the same extent of country in the West of such unrivaled beauty, as is presented by that portion of this county bordering upon the Mississippi river, commencing with its southern boundary, and terminating at the head of Rock Island.— In the interior there is a scarcity of timber, although the prairies are good, gently rolling, and most of them susceptible of cultivation.

The most important town is Davenport, the seat of justice for Scott county, containing nearly 1,000 inhabitants.

It is beautifully situated upon the west bank of the Mississippi river, and contains many fine public and private buildings. Its growth has been rapid, and although it has not the same local advantage for inland trade as Bloomington, yet it bids fair to become one of the most prominent towns in Iowa territory; being situated at the foot of the upper rapids upon the Mississippi; and has water power sufficient, if brought into requisition, to make it one of the greatest manufacturing towns in the West.

The country around this place is one of unrivaled beauty. "Its sloping lawns and wooded bluffs," are spread out to the eye of the beholder in picturesque grandeur. The loveliness of this spot cannot well be described. It has been the admiration of not only our own lovers of American scenery, but noticed by distinguished strangers from the old world, and its beauties descanted upon in European prints.

The Bluffs here are from three to five miles wide, and the river about one mile wide, interspersed with islands. From these bluffs, upon the Iowa side, may be seen the several towns of Davenport, Rockingham, Stephenson, (or Rock Island,) Moline, a new and flourishing little village at the head of Rock Island, on the Illinois shore. Old Fort Armstrong at the foot of Rock Island, with its massive pile of block houses and barracks, and three miles below, in full view is the mouth of Rock river, with its picturesque scenery, and up it three miles is to be seen another village, Rock Isle City, and nearly opposite the neat little village of Camden, with the Rock River Mills, Vandruff's Island, &c., all within the distance of 5 miles, from the place of the beholder.— This delightful spot has for ages been the cherished home of the Indians, and it was the relinquishment

of this revered ground, that contain the bones of their ancestors, and around which are entwined the most hallowed relics of Indian superstition, that they refused to comply with the articles of the treaty in 1832, to remove from these lands, and which caused the Black Hawk war. Mr. Wild, a celebrated artist from St. Louis, has just completed a most splendid drawing of the scenery in this vicinity. It is said to be one of the best picturesque scenes in the United States, and very handsomely executed. Davenport is 350 miles above St. Louis, and 500 below the Falls of St. Anthony. The population of Scott county in 1838 was 1,252, in 1840, 2,193, and in 1844, 2,750.

CLINTON COUNTY.

This is the next county north of Scott, bordering upon the Mississippi river. It has a rich and fertile soil, gently rolling and well watered, but scarce of timber. The Wapsipinecon river bounds it on the south, and furnishes a large and industrious class of farmers with good timber land. Dewitt is the seat of justice for Clinton county, situated about three miles from the Wapsipinecon river, upon a beautiful prairie near the centre of the county. Population of this county in 1838 was 443, in 1840, 800, and in 1844, 1,201.

JACKSON COUNTY.

The Makoqueta river runs through the entire length of this county, from east to west, furnishing not only abundant timber, but water power, both upon the main stream and its tributaries. Many portions of this county is rough and even broken, resembling the mineral region, which indeed may be said to be entered in travelling north, after passing the Makoqueta; good specimens of iron and copper ore have been found in various parts of this county, as well as lead, zinc and tin; it is a good agricultural region and exhibits many fine farms, particularly

upon its main river; it abounds in pure springs of water, and is one of the healthiest counties in Iowa. The chief towns are Belleview, situated upon the Mississippi river; Charleston, also upon the Mississippi; both flourishing little villages, and Andrew, the seat of justice, situated near the geographical centre.

But little progress is yet made in building at the county seat, but the location is one of health and beauty. Population of this county in 1838 was 831, in 1840, 1,452, and in 1844, 2,833.

DUBUQUE COUNTY.

This is one of the oldest settled counties in the territory. It derives its name from Indian Dubuque, a French Canadian, who settled at the town of Dubuque, among the Indians, about the year 1786.

The first lead ore ever discovered in the West, by the natives, was said to be at this place, by Peostas, the wife of a warrior chief of the Kettle tribe of Fox Indians. This county embraces almost all the known mineral region. The mines of Dubuque are sources of great profit, and lead is the great staple commodity of export.

There are considerable falls on the Makoqueta at the village of Cascade, which will some day, be one of the greatest manufacturing villages west of the Mississippi river.

It is a well timbered county, but much of it too broken for agricultural purposes. Dubuque is the seat of justice for this county, and contains some 1500 inhabitants. It is the great mineral depot of Iowa; has a bank, the United States Land Office, and Office of the Surveyor General for Iowa and Wisconsin, is located here. It is a place of considerable trade with the back counties. The population of Dubuque county in 1838 was 2,331, in 1840, 3,056, and in 1844, 4,059.

VAN BUREN COUNTY.

This is one of the first settled and most populous counties in Iowa: having the Des Moines river passing through it diagonally; it is well watered, and abounds in good timber, stone and coal. It is one of the best farming regions in the territory, and well improved. Keosauque is the seat of justice, beautifully situated upon the great bend of the Des Moines river; has many fine buildings, and is a place of considerable trade. Farmington is a small town of some note upon the Des Moines. Population of this county in 1838 was 3,174 in 1840, 6,166, and in 1844, 9,019.

JEFFERSON COUNTY.

This is a fine county of land, with plenty of timber and water; mills and mill privileges are abundant. It is well settled by industrious farmers, and ranks among the best counties of Iowa. Fairfield is the seat of justice for this county, beautifully situated near the centre, and is quite a new and flourishing village. The United States Land Office for the Southern District of Iowa is located at this place.—Population of this county in 1840, was 2,790, and in 1844, 5,694.

HENRY COUNTY.

This is one of the best counties of land in Iowa. Its predominant feature is prairie, although its water courses, which are abundant, are well skirted with timber. Checauque or Shunk river, runs through this county.

Upon this stream and its tributaries are numerous mills and mill privileges. Many portions of this county bear the aspect of an old settled country; and but for the absence of fruit orchards, barns, &c., one would imagine himself in New England. The farms are large, numerous, and well managed. Mt. Pleasant is the most important town, and seat of justice.—It has a beautiful location on a high rolling prairie,

and is one of the healthiest inland towns in Iowa.— It was laid out in 1836, and contains some 300 inhabitants, several dry good stores, groceries, mechanics' shops, &c. It is a place of business, and filling up with enterprising inhabitants. There are several other towns of some note in this county. Population of Henry county in 1838 was 3,058, in 1840, 3,784, and in 1844 it was 6,017.

WASHINGTON COUNTY.

This county is high and rolling; about one third timber; soil rich and fertile, well watered by numerous creeks. The Iowa river passes through the N. E. corner of this county.

Checauque, English, and Crooked creeks run through this county. Several mills are in full operation upon these streams, and others going up in different parts of the county. The timber upon the streams is good, and the county is settling up very fast with enterprising inhabitants.

Washington is the seat of justice, located in 1839, upon the margin of a beautiful prairie, containing about 250 inhabitants, several stores, schools, churches, &c. There are several other towns of some note in this county. Brighton, a very neat little village near the Checauque river, is quite a flourishing village.

Population of this county in 1838 was only 238—in 1840, 1,572—and in 1844, 3,120.

JOHNSON COUNTY.

This is a fine county of land, lying nearly in the geographical centre of the settled portions of Iowa. It is nearly equally divided into prairie and timber. The general face of the county is gently rolling. Soil rich, and produce abundantly.

Iowa river passes through this county, and with its tributaries furnishes abundant water not only for agricultural purposes, but mill privileges, many of which are improved.

Iowa City, the Capitol of Iowa territory, is situated near the centre of this county, and is the seat of justice. This town was located by Commissioners in May, 1839, upon the east bank of the Iowa river, which, up to that time, bore no marks of civilization: one year after, it contained between six and seven hundred inhabitants, several spacious hotels, stores and workshops. It has increased rapidly since, and now contains about 1,000 inhabitants, many splendid buildings, and is a place of great trade for the surrounding country. A charter has been granted by the Legislature for the erection of a College. There are now in successful operation, an Academy and several primary schools.

There is a plenty of lime-stone for building, and an excellent birds-eye marble quarry near the city. The Iowa river, at this place, is about 80 yards wide.—Steam boats have ascended frequently to this place, and some have gone above in high stages of water.

The capitol is built upon a beautiful eminence, overlooking the river and surrounding country; it presents a very imposing view to the approaching traveler; it is 120 feet long, and 62 wide, two stories high; the rapid growth of the city is without a parallel in any country. The industry, enterprise, and go-a-head principles of its inhabitants are a good surety for any undertaking.

Population in 1838—237; in 1840—1504; in 1844—2949.

CEDAR COUNTY.

This county was among the first settled in the territory. It is well watered and good timber, with mills and mill privileges in abundance. It is a fine farming county, and well settled by industrious farmers.

Red-cedar river runs through it, and also the Wapishicon passes through the northern part of it. The face of the country is level.

Tipton, the seat of justice, located near the con-

tre of the county, upon a beautiful prairie, is quite a flourishing little village.

Population of Cedar county in 1838, 557; in 1840, 1225; and in 1844, 2,217.

LINN COUNTY.

This is one of the best timbered counties in the territory; being spotted with groves, and its streams lined with timber. The soil is exceedingly rich and fertile. The county is well watered by the Red cedar and its tributaries, which afford any amount of mill power, much of which is improved. It is a good county of land, and well adapted to manufacturing and agricultural purposes. Marion, the seat of justice, is located near the centre of the county, and is quite a flourishing village, and a place of considerable trade.

Population of this county in 1838, was only 205; in 1840, it was 1600; and in 1844—2,643.

DELAWARE COUNTY.

This is one of the northern counties, rather uneven in surface, but well timbered, and good water. Being near the mineral region it partakes somewhat of its appearance. Some iron ore has been discovered. The soil is fertile, producing good crops of wheat, oats, and corn.

Population of this county in 1840, was only 171, and the returns for 1844, are not yet received.

JONES COUNTY.

This county will rank among the first in Iowa, in point of manufacturing privileges; having any amount of water power, and a good farming country, plenty of timber, a good soil, and healthy climate. The Maquoeta river runs through a portion of this county on the north, and the Wapsipinicon through the south part. Some minerals of different kinds have been found in this county.

Edinburgh, the seat of justice, situated in the geographical centre, is a place of but little note as yet.

Population of this county in May, 1844, was 1,112.

BUCHANAN AND FAYETTE COUNTIES.

These are new counties, but just organized, and fully settled, although they present great attraction to the emigrant; there is a plenty of good land for entry at the government price (\$1.25 per acre). The timber is good, and water abundant. It is a healthy region and will eventually be an important part of Iowa. These are all the counties included in the old ceded portions of Iowa.

The NEW PURCHASE is laid off into counties, as may be seen by the map, and is unsurpassed in beauty and fertility of soil, by any portion of the western country. The timber and prairies seem better divided in this new tract of land than in any other portion of Iowa. It is well watered, and no local reasons exist why it could not be a healthy one.

The rapidity with which these new counties were settled, perhaps might shew, what estimation the lands were held in. The first of May, 1843, was the time specified by the treaty with the Indians for a relinquishment of the land; and between 12 o'clock, midnight, and daylight of that morning, almost the whole country was settled up by *claims*. For weeks and months previous, the dragoons from the forts were stationed upon the line, to keep off the settlers who had made their encampments with their families, near the promised land, so great was their anxiety to secure good portion for their future homes.

Many of these counties have their seats of justice created, and flourishing villagee have sprung up. The settlements upon the Des Moines river are the most extensive. This is a beautiful river, averaging about 40 rods in width and of a very uniform depth, of about 10 feet in low water; it has a swift current and solid limestone bottom. It is navigable to the Raccoon Fork, but only in high stages of water. Bituminous coal is found in abundance along this stream, of an

excellent quality. A new military post has been located and a fort built,

The principal towns in the New Purchase are Philadelphia, Portland, Iowa ville,, Ottumwa, and Eddyville, upon the Des Moines river, all very flourishing towns and well watered. At Ottumwa, there is great water power about to be brought into requisition by Mr. Armstrong, a young man of capital and enterprise. Should he succeed, (and there seems but little doubt of it) he will not only accomplish much for himself but benefit the surrounding country to a great extent and give an impetus to the already flourishing village of Ottumwa that will place her on the lead in the march of improvements that are going on in that new country; the seat of justice for Wappello county is located at this place. This county, to which the Indian title was not extinguished till the first of May 1843, now contains 2,814 inhabitants. Agency city is another town site, located at the old Indian agency; it is a beautiful place about 2 miles from the Des Moines river, and a point of considerable trade.

Eddyville is laid out upon the site of an old Indian village and trading post; it is a place of a good deal of trade with the settlers and Indians.

Iowa ville is situated upon the north bank of the Des Moines, upon the site of "Black Hawk's" old town and is the most important place upon the river. Near this place, while surveying these lands in 1843, I passed the remains of the old wigwam in which the great warrior and chief, Black Hawk, died, in October, 1833. To perpetuate his death-bed and grave that is hard by I took notes and erected monuments, pointing out the spot where rest the bones of that distinguished chief.

RIVERS OF IOWA.

GENERAL DESCRIPTION.

The principal rivers of this territory, are the Keokuk or Des Moines, the Checague or river of Skunka, the Iowa, Red-cedar, Wapsipinicon, Makoqueta, Turkey, Upper Iowa, and Yellow. The Des Moines, Iowa, and Cedar are navigable in good stages of water, for about 100 miles up. The general character of these rivers is, a swift current, lime-stone bottom, or white sand, and very pure transparent water filled with various kinds of fish. All these rivers lead in numerous small lakes in the Indian country, and are skirted with timber.

4

PROPOSED
CONSTITUTION
FOR THE
STATE OF IOWA,
ADOPTED IN
CONVENTION, NOV. 1, 1844.

ARTICLE 1.

PREAMBLE AND BOUNDARIES.

We, the people of the Territory of Iowa, within the boundaries hereinafter designated, by our representatives in Convention assembled at Iowa City, on Monday, the seventh day of October, in the year of our Lord one thousand eight hundred and forty four, grateful to the Supreme Ruler of the Universe for the blessings hitherto enjoyed as a people, and acknowledging our dependence upon him for a continuation of those blessings, in order to establish justice, ensure tranquility, provide for the common defence, promote the general welfare, secure to ourselves and our posterity, the rights of life, liberty, and the pursuit of happiness, do agree to form and establish a free and independent government, by the name of the State of Iowa, the boundaries whereof shall be as follows, to wit: Beginning in the middle of the main channel of the Mississippi river, opposite the mouth of the Des Moines river; thence up the said river Des Moines in the middle of the main channel thereof, to a point where it is intersected by the Old Indian

Boundary line, or line run by John C. Sullivan in the year 1816; thence weatwardly along said line to the "Old North-west corner of Miesouri;" thence due west to the middle of the main channel of the Missouri river; thence up in the middle of the main channel of the river last mentioned to the mouth of the Sioux or Calumet river; thence in a direct line to the middle of the main channel of the St. Peters river, where the Watonwan river (according to Nicollet's map) enters the same; thence down the middle of the main channel of said river to the middle of the main channel of the Mississippi river; thence down the middle of the main channel of said river, to the place of beginning.

ARTICLE II.

BILL OF RIGHTS.

1. All men are by nature free and independent, and have certain unalienable rights, among which, are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety and happiness.

2. All political power is inherent in the people.—Government is instituted for the protection, security, and benefit of the people; and they have the right at all times, to alter, or reform the same, whenever the public good may require it.

3. The Legislature shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, nor shall any person be compelled to attend any place of worship, pay tithes, taxes, or other rates, for building or repairing places of worship, or for the maintenance of any minister or ministry.

4. No religious test shall be required as a qualification for any office or public trust, and no person shall be deprived of any of his rights, privileges or capacities, or disqualified from the performance of any of

his public or private duties, or rendered incompetent to give evidence in any court of law or equity, in consequence of his opinions on the subject of religion.

5. All laws of a general nature shall have a uniform operation.

6. Every person may speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right. No law shall be passed to restrain or abridge the liberty of speech or of the press. In all prosecutions or indictments for libel, the truth may be given in evidence to the jury, and if it appear to the jury that the matter charged as libellous was true, and was published with good motives, and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

7. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable seizures and searches, shall not be violated, and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the papers and things to be seized.

8. The right of trial by jury, shall remain inviolate; but the Legislature may authorize trial by a jury of a less number than twelve men in the inferior courts.

9. In all criminal trials, the accused shall have a right to a speedy trial by an impartial jury, to be informed of the accusation against him, to be confronted with the witnesses against him, to have compulsory process for his own witnesses, and to have the assistance of counsel.

10. No person shall be held to answer for a criminal offence, unless on presentment, or indictment by a grand jury, except in cases cognizable by justices of the peace, or arising in the army or navy, or in the militia when in actual service in time of war or public danger.

11. No person shall, after acquittal, be tried for the same offence. All persons shall, before conviction, be available by sufficient sureties, except for capital offences, where the proof is evident or the presumption great.

12. The writ of Habeas Corpus shall not be suspended unless in case of rebellion or invasion, the public safety require it.

13. The military shall be subordinate to the civil power. No standing army shall be kept up by the State in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years.

14. No soldier shall in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in manner prescribed by law.

15. Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the evidence of two witnesses to the same overt act, or confession in open court.

16. Excessive bail shall not be required. Excessive fines shall not be imposed; and cruel and unusual punishments shall not be inflicted.

17. Private property shall not be taken for public use without just compensation.

18. No person shall be imprisoned for debt in any civil action on mesne or final process, unless in cases of fraud; and no person shall be imprisoned for a militia fine in time of peace.

19. The people have a right freely to assemble together to consult for the common good, to make known their opinions to their representatives, and to petition for redress of grievances.

20. No bill of attainder, ex post facto law, or law impairing the obligation of contract, shall ever be passed.

21. Foreigners who are residents of this State shall enjoy the same rights, in respect to the possession, enjoyment, and descent of property, as native born citizens.

22. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.

23. This enumeration of rights shall not be construed to impair or deny others, retained by the people.

ARTICLE III.

RIGHT OF SUFFRAGE.

1. In all elections which are now or hereafter may be authorized, every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State six months next preceeding the election, and of the county in which he claims his vote, thirty days, shall be entitled to vote.

2. Electors shall, in all cases except treason, felony or breach of peace, be privileged from arrest on the days of election, during their attendance at, going to, and returning therefrom.

3. Except in time of war or public danger, no elector shall be obliged to perform militia duty on the day of election.

4. No person in the military, naval, or marine service of the United States, shall be considered a resident of this State by being stationed in any garrison, barrack, or military or naval place or station within the State.

5. No idiot or insane person, or persons declared infamous by act of the Legislature, shall be entitled to the privileges of an elector.

6. All elections shall be by ballot.

ARTICLE IV.

OF THE DISTRIBUTION OF POWERS.

1. The powers of the government of Iowa shall be divided into three separate departments; the legislative, the executive, and judicial; and no person charged with the exercise of powers properly belonging to one of these departments, shall exercise any function appertaining to either of the others, except in the cases hereinafter expressly directed or permitted.

LEGISLATIVE DEPARTMENT.

1 The legislative authority of this State shall be vested in a Senate and House of Representatives, which shall be designated the General Assembly of the State of Iowa, and the style of their laws shall commence in the following manner: "Be it enacted by the General Assembly of the State of Iowa."

2 The sessions of the General Assembly shall be biennial, and shall commence on the 1st Monday of January next ensuing the election of its members; unless the Governor of the State shall in the interim convene the General Assembly by proclamation.

3 The members of the House of Representatives shall be chosen every second year, by the qualified electors of their respective districts, on the 3d Tuesday in October, whose term of office shall continue two years from the day of the general election.

4 No person shall be a member of the House of Representatives who shall not have attained the age of twenty-one years; who shall not be a free white male citizen of the United States; who shall not have been an inhabitant of this State or Territory, one year next preceding his election, and who shall not, at the time of his election, have an actual residence of thirty days in the county or district he may be chosen to represent.

5 Senators shall be chosen for the term of four years, at the same time and place as Representatives.

They shall be twenty-five years of age, and possess the qualifications of Representatives as to residence and citizenship.

6 The number of Senators shall not be less than one-third nor more than one-half of the Representative body; and at the first session of the General Assembly after this Constitution takes effect, the Senators shall be divided by lot, as equally as may be, into two classes; the seats of the Senators of the first class shall be vacated at the expiration of the second year, so that one-half shall be chosen every two years.

7 When the number of Senators is increased they shall be annexed by lot to one of the two classes, so as to keep them as nearly equal in number as practicable.

8 The House of Representatives, when assembled, shall choose a Speaker and its other officers, and the Senate shall appoint its own officers except the President; and each body shall judge of the qualifications, elections, and returns of its members. A contested election shall be determined in such manner as shall be directed by law.

9 A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties, as each House may provide.

10 Each House shall sit upon its own adjournments, keep a journal of its proceedings, and publish the same; determine its rules of proceedings, punish members for disorderly behaviour, and with the consent of two-thirds, expel a member, but not a second time for the same offence; and shall have all other powers necessary for a branch of the Legislature of a free and independent State.

11 Every member of the General Assembly shall have the liberty to dissent from or protest against any

act or resolution which he may think injurious to the public or an individual, and have the reasons for his dissent entered on the journals; and the yeas and nays of the members of either House, on any question, shall at the desire of any two members present, be entered on the journals.

12 Senators and Representatives, in all cases except for treason, felony, and breach of the peace, shall be privileged from arrest during the session of the Legislature, and in going to and returning from the same.

13 When vacancies occur in either House, the Governor, or the person exercising the functions of the Governor, shall issue writs of election to fill such vacancies.

14 The doors of each House shall be open, except on such occasion as in the opinion of the House, may require secrecy.

15 Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be sitting.

16 Bills may originate in either House, and be amended, altered or rejected by the other; but no bill shall have the force of a law until on three several days it be read in each House, and unless, in cases of urgency, two-thirds of the House in which the bill shall be depending, may deem it expedient to dispense with the rules; and every bill having passed both Houses, shall be signed by the Speaker and President of their respective Houses.

17 Every bill which shall have passed the General Assembly shall, before it become a law, be presented to the Governor. If he approve, he shall sign it, but if not, he shall return it with his objections to the House in which it shall have originated, who shall enter the same upon the journal and proceed to reconsider it; if after such reconsideration, it again pass both Houses by yeas and nays, by a majority of

two-thirds of the members of each House present, it shall become a law notwithstanding the Governor's objections. If any bill shall not be returned within five days after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature, by adjournment prevent such return.

18 No money shall be drawn from the treasury but in consequence of appropriations made by law.

19 An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws, at every regular session of the Legislature.

20 The House of Representatives shall have the sole power of impeaching. All impeachments shall be tried by the Senate. When sitting for that purpose, the Senators shall be upon oath or affirmation: no person shall be convicted without the concurrence of two-thirds of the members present.

21 The Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, and Judges of the Supreme and District Courts, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend farther than to removal from office, and disqualification to hold any office of honor, trust or profit, under this State; but the party convicted or acquitted shall nevertheless be liable and subject to indictment, trial and punishment, according to law. All other civil officers shall be tried for misdemeanors in office in such manner as the General Assembly may provide.

22 No Senator or Representative shall, during the time for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased, during such term; except such offices as may be filled by elections by the people.

23 No person holding any lucrative office under the United States, or this State, or any other power, shall be eligible to the General Assembly: *Provided*, That officers in the militia to which there is attached no annual salary, or the office of justice of the peace, shall not be deemed lucrative.

24. No person who may hereafter be a collector or holder of public moneys shall have a seat in either house of the General Assembly, or be eligible to any office of trust or profit under this State, until he shall have accounted for, and paid into the treasury all sums for which he may be accountable.

25. Each member of the General Assembly shall receive a compensation to be fixed by law, for his services, to be paid out of the treasury of the State. Such compensation shall not exceed two dollars per day for the period of fifty days from the commencement of the session, and shall not exceed the sum of one dollar per day for the remainder of the session; when convened in extra session by the Governor, they shall receive such sum as shall be fixed for the first fifty days of the ordinary session. They shall also receive two dollars for every twenty miles they shall travel, in going to and returning from their place of meeting, on the most usual route: *Provided, however*, that the members of the first Legislature under this constitution, shall receive two dollars per day for their services during the entire session.

26 To obviate confusion, and improper influences which may result from intermingling in one and the same act, such things as have no proper relation to each other, every law shall embrace but one object, which shall be expressed in the title.

27. No law of the General Assembly, of a public nature, shall take effect until the same shall be published and circulated in the several counties of this State by authority: *Provided*, if the General Assembly shall deem any law of immediate importance, they

may provide that the same shall take effect by publication in newspapers in the State.

28. No divorce shall be granted by the Legislature.

29. No county or counties shall be liable for the expense of laying out or establishing any road or roads authorized by special act of the Assembly.

30. No lottery shall be authorized by this State, nor shall the sale of lottery tickets be allowed.

31. Members of the General Assembly shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath or affirmation: "I do solemnly swear or affirm (as the case may be) that I will support the constitution of the United States and the constitution of the State of Iowa, and that I will faithfully discharge the duties of Senator (or Representative as the case may be) according to the best of my ability;" and members elect of the General Assembly are hereby empowered to administer to each other the said oath or affirmation.

32. Within two years after the first meeting of the General Assembly, under this constitution, and within every subsequent term of four years for the term of sixteen years, an enumeration of all the white inhabitants of this State shall be made, in such manner as shall be directed by law. The number of Senators and Representatives shall, at the first regular session of the Legislature after such enumeration, be fixed by law, and apportioned among the several counties according to the number of white inhabitants in each; and the House of Representatives shall never be less than twenty-six, nor greater than thirty-nine, until the number of white inhabitants shall be one hundred and twenty-five thousand; and after that event, at such ratio that the whole number of representatives shall never be less than thirty-six nor exceed seventy-two.

33. When a senatorial and representative district shall be composed of two or more counties, it shall not be entirely separated by any county belonging to an-

other district; and no county shall be divided in forming a senatorial or representative district.

34. In all elections by the General Assembly the members thereof shall vote viva voce, and the votes shall be entered on the journal.

OFFICERS' SALARIES.

35. For the first ten years after the organization of government the annual salary of the Governor shall not exceed eight hundred dollars; Secretary of State, five hundred dollars; Treasurer, three hundred dollars; Auditor, five hundred dollars; Judges of the Supreme and District Courts, each, eight hundred dollars.

ARTICLE V.

OF THE EXECUTIVE DEPARTMENT.

1. The supreme executive power shall be vested in a Governor, who shall hold his office for two years, and a Lieutenant Governor shall be chosen at the same time and for the same term.

2. No person shall be eligible to the office of Governor or Lieutenant Governor who is not a citizen of the United States, been a resident of the State two years next preceeding the election, and who has not attained the age of thirty years at the time of said election.

3. The Governor and Lieutenant Governor shall be elected by the electors at the time and places of choosing members of the Legislature. The persons having the highest number of votes for Governor and Lieutenant Governor shall be elected, but in case two or more have an equal and the highest number of votes for Governor or Lieutenant Governor, the Legislature shall, by joint ballot, choose one of said persons so having an equal and the highest number, for Governor or Lieutenant Governor.

4. The returns of every election for Governor and Lieutenant Governor shall be sealed up and transmit-

tod to the Seat of Government by the returning officers, directed to the President of the Senate, who shall open and publish them in the presence of the members of both houses.

5. The Governor shall be commander-in-chief of the militia and of the army and navy of this State.

6. He shall transact all executive business with the officers of government, civil and military; and may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices.

7. He shall take care that the laws be faithfully executed.

8. When any office shall, from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the Governor shall make an appointment for such vacated office, which shall expire at the end of the next session of the General Assembly, or at the next election by the people.

9. He may on extraordinary occasions, convene the General Assembly by proclamation, and shall state to them, when assembled, the purpose for which they shall have been convened.

10. He shall communicate, by message to the Legislature at every session, the condition of the State, and recommend such matters to them as he shall deem expedient.

11. In case of disagreement between the two houses with respect to the time of adjournment, the Governor shall have the power to adjourn the General Assembly to such time as he may think proper, provided it be not to a period beyond the next meeting of the Legislature.

12. In case of the impeachment of the Governor, his removal from office, death, resignation or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor until such disability shall cease, or the vacancy be filled.

13. If, during the vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or be absent from the State, the President pro tempore of the Senate shall act as Governor until the vacancy be filled; and should a vacancy occur by the impeachment, death, resignation, or absence from the State of the President pro tempore of the Senate, the Speaker of the House of Representatives shall discharge the duties of Governor during the existence of such vacancy.

14. The Lieutenant Governor shall, by virtue of his office, be President of the Senate; in committee of the whole he may debate on all questions; and when there is an equal division he shall give the casting vote.

15. No member of Congress, nor any other person holding office under the United States or this State, shall execute the office of Governor.

16. The Governor shall have power to grant reprieves and pardons, and commute punishment after conviction, except in cases of impeachment, in such manner and upon such conditions as may be prescribed by law.

17. The Governor shall at stated times, receive for his services a compensation which shall neither be increased nor diminished during the time for which he shall have been elected.

18. The Lieutenant Governor, except when acting as Governor, and President of the Senate pro tempore, shall each receive the same compensation as shall be allowed to the Speaker of the House of Representatives.

19. There shall be a seal of this State, which shall be kept by the Governor and used by him officially, and shall be called the great Seal of the State of Iowa.

20. All grants and commissions shall be in the name, and by the authority of the people of Iowa, sealed with the seal, signed by the Governor, and countersigned by the Secretary of State.

21. A Secretary of State, Auditor of Public Accounts, and Treasurer, shall be elected by the qualified electors at the time and place of voting for Governor, who shall continue in office two years. The Secretary of State shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes, and vouchers relative thereto, before either branch of the Legislature, and shall perform such other duties as shall be assigned him by law.

22. The first Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, and Superintendent of Public Schools, shall hold their offices for two years after the first Monday in January succeeding their election, and until their successors shall be elected and qualified; and forever after the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, and Superintendent of Public Schools, shall hold their offices for the term of two years and until their respective successors shall be elected and qualified to office.

ARTICLE VI.

JUDICIAL DEPARTMENT.

1. The judicial power shall be vested in a Supreme Court, District Courts, and such other inferior courts, as the Legislature may from time to time establish.

2. The Supreme Court shall consist of a Chief Justice and two Associates, two of whom shall be a quorum to hold court.

The Supreme Court shall have appellate jurisdiction only, in all cases in chancery, and constitute a court for the correction of errors at law, under such restrictions as the General Assembly may by law prescribe.

The sessions of the Court shall be at the Seat of Government, at such times as may be fixed by law; and the Judges thereof shall appoint a Clerk, who shall hold his office during their pleasure.

3. The Supreme Court shall have power to issue all writs and process necessary to do justice to parties, and exercise a supervisory control over all inferior judicial tribunals. The Judges of the Supreme Court shall be conservators of the peace throughout the State.

4. The District Court shall consist of a Judge, who shall reside in the district assigned him by law, be elected by the qualified voters thereof, and hold his office for the term of four years, until his successor is elected and qualified.

The District Court shall be a court of law and equity, and have jurisdiction in all civil and criminal matters arising in the respective counties in the district, in such manner as shall be prescribed by law. The Judges of the District Courts shall be conservators of the peace in their respective districts.

The first session of the General Assembly shall divide the State into three districts, which shall be increased as the exigencies of the State may require.

5. The Judges of the Supreme Court shall be elected by joint vote of the General Assembly, and shall hold their offices for the term of four years, and until their successors are elected and qualified.

6. There shall be elected in each county, one Judge of Probate, one Prosecuting Attorney, and one Clerk of the District Court, who shall continue in office for two years, and until their successors are elected and qualified. Vacancies in the office of Clerk shall be filled by appointment by the Judge of the District Court, and such appointments shall continue, until a successor is elected and qualified.

7. The style of all process shall be "The State of Iowa," and all prosecutions shall be conducted in the name and by the authority of the same.

ARTICLE VII.

OF THE MILITIA.

1. The Militia of this State shall be composed of

all able bodied white male persons between the ages of eighteen and forty-five years, except such persons as are, or may hereafter be, exempted by the laws of the United States or of this State

2. No person or persons conscientiously scrupulous of bearing arms shall be compelled to do militia duty in time of peace: *provided*, that such person or persons shall pay an equivalent for such exemption in the same manner as other citizens.

3. The Legislature shall provide by law for organizing, equipping, and disciplining the militia of this state, in such manner as they deem expedient, not incompatible with the constitution and laws of the United States in relation thereto.

4. All commissioned officers of the militia (staff officers excepted) shall be elected by the persons liable to perform military duty, and shall be commissioned by the Governor.

ARTICLE VIII.

OF PUBLIC DEBTS AND LIABILITIES.

1. The Legislature shall not in any manner create any debt or debts, liability or liabilities, which shall singly or in the aggregate, with any previous debts or liabilities, exceed the sum of one hundred thousand dollars, except in case of war, to repel invasion, suppress insurrection, unless the same shall be authorized by some law for some single object or work to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within twenty years from the time of the contracting thereof, and shall be irrevocable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until at a general election it shall have been submitted to the people and have received a majority of all the votes

cast for and against it at such election, and all money raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in newspapers in the State for three months preceding the election at which it is submitted to the people.

ARTICLE IX.

INCORPORATIONS.

1. No act of incorporation shall continue in force for a longer period than twenty years, without the re-enactment of the Legislature, unless it be an incorporation for public improvement.

2. The personal and real property of the individual members of all corporations hereafter created, shall, at all times, be liable for the debts due by any such corporation.

3. The Legislature shall create no bank or banking institution, or corporation with banking privileges in this State, unless its charter with all its provisions, shall be submitted to a vote of the people at a general election for State officers, and receive a majority of the votes of the qualified electors of this State, cast for and against it.

4. The Legislative Assembly shall have power to repeal all acts of incorporation by them granted.

5. The property of the inhabitants of this State shall never be used by any incorporated company, without the consent of the owner.

6. Corporations of a public nature, such as counties, towns, villages, and the like, shall not be subject to the foregoing provisions.

7. The State shall not, directly or indirectly, become a stockholder in any bank or other corporation.

ARTICLE X.

EDUCATION AND SCHOOL LANDS.

1. The Legislature, by joint vote, shall appoint a Superintendent of Public Instruction, who shall hold

his office for three years, and whose duties shall be prescribed by law, and who shall receive such compensation as the Legislature may direct.

2. The Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral and agricultural improvement. The proceeds of all lands that have been or hereafter may be granted by the United States to this State for the support of schools, which shall hereafter be sold or disposed of, and the five hundred thousand acres of land granted to the new States, under an act of Congress distributing the proceeds of the Public Lands among the several States of the Union, approved A. D. 1841, and all estates of deceased persons, who may have died without leaving a will, or heirs, and also such per cent. as may be granted by Congress on the sale of lands in this State, shall be and remain a perpetual fund; the interest of which, together with all the rents of the unsold lands, shall be inviolably appropriated to the support of schools throughout the State.

3. The Legislature shall provide for a system of common schools, by which a school shall be kept up and supported in each school district, at least three months in every year; and any school district neglecting to keep up and support such a school, may be deprived of its equal proportion of the interest of the public fund during such neglect.

4. As soon as the circumstances of the State will permit, the Legislature shall provide for the establishment of libraries—one at least in each township; and the moneys which shall be paid by persons as an equivalent for exemption from military duty, and the clear proceeds of all fines assessed in the several counties for any breach of the penal laws, shall be exclusively applied to the support of said libraries.

5. The Legislature shall take measures for the protection, improvement, or other disposition of such lands as have been or may hereafter be reserved or

granted by the United States, or any person or persons, to this State, for the use of a University: and the funds accruing from the rents or sale of such lands, or from any other source, for the purpose aforesaid, shall be and remain a permanent fund for the support of said University, with such branches as the public convenience may hereafter demand for the promotion of literature, the arts, and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the Legislature, as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University.

ARTICLE XI.

COUNTY ORGANIZATION.

1. No new county shall be laid off of, nor old county reduced to less contents than four hundred square miles.

2. There shall be elected by the qualified electors of each organized county in this State, one Sheriff, one Coroner, one County Recorder, who shall discharge the duties of Clerk of the county court, or court doing county business; one County Surveyor, and one County Treasurer, who shall be ex-officio collector of the public revenues, and hold their offices for the term of two years, and until their successors are elected and qualified, and shall perform such duties and be allowed such compensation as may be provided by law. They shall reside in their respective counties during their continuance in office, and be respectively disqualified for the office a second time, on default for any moneys collected by virtue of their respective offices, but in no case shall the Sheriff be elected for more than two terms in succession.

3. The Legislature may provide for a township organization. There shall be elected in each township, by the qualified electors, not less than two Justices of the Peace, at such time and place as may be provided

by law, who shall hold their respective offices for two years, and until their successors are elected and qualified. Their jurisdiction shall be co-extensive with their respective townships, and shall extend to all civil cases where the amount in controversy does not exceed one hundred dollars, and by the consent of parties, may be extended to any amount not exceeding five hundred dollars. They shall be conservators of the peace, and shall possess such criminal jurisdiction as the Legislature may prescribe.

4. The Legislature shall provide by law for the jurisdiction of probate, and of all matters relating to county taxes, disbursement of moneys for county purposes, and in every case that may be necessary, to the internal improvement and local concerns of the respective counties.

5. The fees of all county officers shall be defined by law, and no extra compensation, either by the county or State, shall be paid or allowed to such officers.

ARTICLE XII.

ON AMENDMENTS TO THE CONSTITUTION.

1. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment shall be entered on their journals, with the yeas and nays thereon, and referred to the General Assembly then next to be chosen, and shall be published for three months previous to the time of making such choice; and if, in the General Assembly then next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner and at such time as the General Assembly shall prescribe, and if the

people shall approve and ratify such amendment or amendments by a majority of all the qualified electors of the State voting for and against said amendment or amendments voting in their favor, such amendment or amendments shall become part of this Constitution. When any amendment or amendments to this constitution shall be proposed in pursuance of the foregoing provisions, the same shall, at each of the said sessions, be read three several days in each house. The General Assembly shall not propose the same amendments to this Constitution oftener than once in six years.

2. And if, at any time, two thirds of the Senate and House of Representatives shall think it necessary to revise or change this Constitution, they shall recommend to the electors at the next election for members of the Legislature to vote for or against a convention, and if it shall appear that a majority of the electors voting at such election have voted in favor of calling a convention, the Legislature shall, at its next session, provide by law for calling a convention, to be holden within six months after the passage of such law, and such convention shall consist of a number of members not less than of both branches of the Legislature.

Done in Convention at Iowa City, this first day of November, one thousand eight hundred and forty-four, and of the Independence of the United States of America the sixty-ninth.

In testimony whereof, We have hereunto subscribed our names

SHEPHERD LEFFLER, *President.*

Robert Lucas,	Henry Falkner,
Stephen Hempstead,	S. A. Biasell,
James Grant,	William H. Galbraith,
William L. Toole,	William Morden,
Andrew W. Campbell.	John D. Wright,

Wright Williams,
 Henry Robinson,
 James Clarke,
 V. B. Delashmutt,
 Ebenezer Cook,
 William R. Harrison,
 Theophilus Crawford,
 Luman M. Strong,
 Samuel W. McAtee,
 C. B. Campbell,
 Michael O'Brien,
 Ralph R. Benedict,
 Sulifand S. Ross,
 S. W. Durham,
 Tho. J. McKean,
 Robert Brown,
 Samuel H. McCrory,
 Richard B. Wyckoff,
 Enos Lowe,
 George Hepner,
 John Taylor,
 Hardin Butler,
 G. S. Baily,
 S. B. Olmstead,
 Francis Gehon,
 J. S. Kirkpatrick,
 Joseph C. Hawkins,
 George Hobson,
 Henry M. Salmon,
 Charles Staley,
 David Galland,

Lyman Evans,
 Elisha Cutler, Jr.
 James I. Murray,
 Paul Brattain,
 Alexander Korr,
 John Ripley,
 John Hale, Jr.
 J. C. Blankinship,
 James March,
 O. S. X. Peck,
 A. Hooton,
 E. Selle,
 David Ferguson,
 Enoch Rose,
 John H. Randolph,
 Stephen B. Sholledy,
 Richard Quinton,
 Jonathan E. Fletcher,
 Samuel Whitmore,
 John Davidson,
 Thomas Charlton,
 W. W. Chapman,
 John W. Brookbank,
 Calvin J. Price,
 Jonathan C. Hall,
 Edward Langworthy,
 R. P. Lowe,
 Joseph D. Hoag,
 James H. Gower,
 John Thompson,

Attest

GEORGE S. HAMPTON,
Secretary of the Convention.

DISTANCES

ON THE

OHIO AND MISSISSIPPI RIVERS,

FROM PITTSBURGH

TO THE

FALLS OF ST. ANTHONY.

PITTSBURGH	<i>miles.</i>	Pomeroy,	13
To Economy,	19	Pt. Pleasant,	17
Beaver,	10½	Gallipolis,	4
Georgetown,	15	Guyandotte,	38
Liverpool,	3½	Burlington,	8
Wellsville,	4	Portsmouth,	43
Steubenville,	17	Vanceburg,	20
Wellsburgh,	7	Maysville,	30
Warrenton,	7	Ripley,	9
Wheeling,	9	Augusta,	9
Sistersville,	55	New Richmond,	21½
Newport,	12	Cincinnati,	22
Marietta,	18	North Bend	16
Vienna,	6	Lawrenceburg,	6
Parkersburg,	6½	Aurora,	6
Troy,	13	Rising Sun,	10
Letart's Rapids,	37½	Patriot,	13

Warsaw,	9	St. Louis,	10
Vevay and Ghent,	10	Missouri River,	20
Carrollton,	8	Alton,	5
Madison,	12	Illinois River,	17
Utica,	39	Clarksville,	58
Jeffersonville,	9	Louisiana,	12
Louisville,	1	Hannibal,	30
Portland and		Quincy,	20
New Albany,	3	Warsaw,	40
Salt River,	18	Keokuk	4
Brandenburg,	18	Montrose and	
Maukeport;	3	Naucro,	12
Leavenworth,	17	Ft. Madison,	9
Rome,	40	Burlington,	22
Hawsville,	25	Oquawka,	18
Troy,	6	New Boston,	25
Owensboro,	28	Bloomington,	27
Green River,	28½	Rockingham,	27
Evansville,	8½	Rock Island and	
Hendersonville,	11	Davenport,	5
Mt. Vernon,	26½	Parkhurst,	20
Wabash River,	21	Camanche,	12
Shawneetown,	9	Lyons,	9
Cave in Rock,	25	Charleston,	15
Golconda,	30	Savannah,	2
Smithland,	16	Bellevue,	19
Paducah,	12	Dubuque,	25
Cairo,	50	Peru,	8
UP THE MISSISSIPPI.		Cassville,	25
<i>Mouth of the Ohio</i>		Prairie La Porte,	8
To Cape Girardeau,	41	Wisconsin River,	17
Grand Tower,	27	Prairie du Chien,	4
Chester,	30	St. Peter's River	
St. Genevieve,	14½	and Ft. Snelling,	24½
Herculaneum,	30½	Falls of St. An-	
Jefferson Barracks	29	thony.	7

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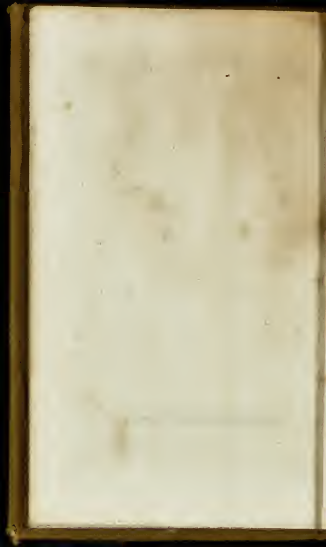
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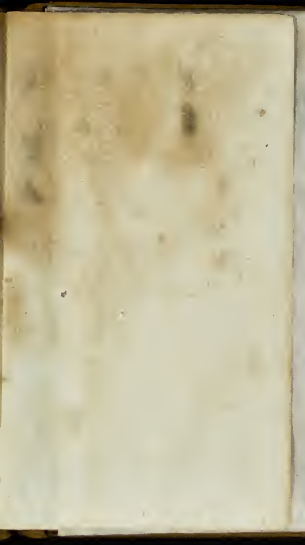
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BY
W. BARROWS

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